



TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/612,650	
	Filing Date	July 12, 2003	
	First Named Inventor	Sreenivasulu Megati	
	Art Unit	1625	
	Examiner Name	Zinna Northington Davis	
Total Number of Pages in This Submission		Attorney Docket Number	WYTH0015-100 (AM100961)

ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return card		
<table border="1"><tr><td>Remarks</td></tr><tr><td>Via Express Mail No. EV 513561590 US sent August 16, 2004 EV513561590US</td></tr></table>			Remarks	Via Express Mail No. EV 513561590 US sent August 16, 2004 EV513561590US
Remarks				
Via Express Mail No. EV 513561590 US sent August 16, 2004 EV513561590US				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Feng Shao Registration No. 54,733
Signature	
Date	August 16, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known

Application Number	10/612,650
Filing Date	July 2, 2003
First Named Inventor	Sreenivasulu Megati
Examiner Name	Zinna Northington Davis
Art Unit	1625
Attorney Docket No.	WYTH0015-100/139737 (AM100961)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1275

Deposit Account Name Cozen O'Connor

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20 **	=	0	X		=	0
Independent Claims		-3 **	=	0	X		=	0
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type)	Feng Shao	Registration No. (Attorney/Agent)	54,733	Telephone	215 665 2000
Signature		Date	August 16, 2004		

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8-18-04

DFW

DOCKET NO.: WYTH0015-100 (AM100961)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner:

Sreenivasulu Megati, et al.

Zinna Northington Davis

Serial No.: 10/612,650

Group Art Unit: 1625

Filed: July 2, 2003

Confirmation No.: 5472

For: PREPARATION OF 6-HYDROXYEQUILENINS

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Date: August 16, 2004

RESPONSE TO RESTRICTION REQUIREMENT

This paper is filed in response to the Office Action dated July 22, 2004, in connection with the above captioned patent application.

The Examiner has required restriction to one of the following Groups:

- I. Claims 1-11, drawn to a process for preparing a chemical compound;
- II. Claim 12, drawn to a process for preparing a chemical compound; and
- III. Claims 13-18, drawn to intermediate compounds.

Solely to satisfy 37 CFR 1.143, Applicants hereby provisionally elect, with traverse, Group I, Claims 1-11 as described above.

Nevertheless, Applicants respectfully traverse the restriction requirement for the reasons provided below.

There are two criteria for a proper restriction requirement: a) the inventions (e.g., proposed groupings) must be independent or distinct as claimed, and b) there must be a

serious burden on the Office. If at least one of the two criteria is not present, restriction is improper.

With respect, the Office has not shown that the second requirement has been met in making the restriction.

1) Restriction between Groups I and II.

Claim 12, the only claim of Group II, corresponds to steps (f) and (g) of Claim 5, which is in Group I. In addition, the end product of Claim 12 is the same as that of Claim 5. Therefore, a search of the invention of Group I, which includes Claim 5, will inevitably require searching exactly the same art as the invention of Claim 12. Accordingly, there is no serious burden (if any at all) to examine Groups I and II together.

2) Restriction between Groups (I-II) and III.

Further, it is believed that the intermediate compounds in Group III are closely related to the end products of the processes of Groups I-II. Thus, the examination of Group I will therefore inevitably require searching the subject matter of Group III. Accordingly, it is believed that examining the subject matter of Groups I-III would not pose a serious burden. In addition, examining Groups I-III together will result in economies to the Patent Office as well as the Applicant.

Because there will not be a serious burden on the Office to examine the entirety of the application, Applicants respectfully request that the restriction requirement be reconsidered, and that Groups I, II and III be examined in the present application.

Respectfully submitted,

Date: August 16, 2004



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